# THE PRESIDENCY

A Resolution of Inquiry Introduced Into the House.

BLAIR'S MANIFESTO THE PRETEXT

Proposed Investigation of the Frauds in Florida and Louisiana.

PIERCE OPPOSITION OF REPUBLICANS

Preliminary Skirmishing on Points of Order.

SPEAKER RANDALL WITH HIS PARTY.

Final Action Prevented by Filibustering Tactics.

PREPARATIONS FOR RENEWING THE FIGHT

Stories Current About Damaging Evidence and Compromising Letters.

FROM OUR SPECIAL CORRESPONDENT.

About an hour and a ball after Mr. Clarkson N. Pot ler introduced his frauds resolution to-day he discovared that he had made a blunder, and amid the Jeer of the republicans moved an adjournment. The speto do something when his forces were not all the whole movement, in manner and matter, is not a very grave blunder for the democratic party.

With an honest attempt to ascertain whether frauds

were committed in the last Presidential election and sho were guilty of such frauds the country would probably sympathize; but the spirit in which Mr. Potter and those acting with him to-day pushed their resolution was plainly one seeking mere partisan advantages, and seeking them without regard to fair-sess or, it might even be said, decency. The resolution itself sets out that it is made in obedience to the demand in the Blair manifesto, whose distinct object is to reopen the Presidential question; yet the supporters of the resolution pretended that this is no part of their design, and are anxious to have this understood. So that, in fact, they back down at once before their own thunder. Mr. Hale, on the part of the republicans, asked leave to amend so as to give the inquiry a wider and an uppartisan, or rather an impartial rily relused. Thereupon the previous question being forced by Mr. Potter the republicans relused to vote and left the House without a querum, showing that the democratic managers, who had predetermined to carry their matter through with a high hand, had forgotten to count noses. They had good reason to feel mortified at this dotest, and to-night they are hope of getting here by to-morrow seventeen more members, which would give them a quorum without the republicans. But that will not help them, for the republicans can still make dilatory motions. RULING OF THE SPHAKER.

The Speaker ruled the resolution a question of privithat it relates to the Presidential election, but Mr Mills, of Texas, democrat, in a very sensible speech. held that the present Congress has nothing to do with the last Presidential election; that Congress only had to do with that, and that its action concluded the whole matter. The managers thereupon suggested that it whereupon Mr. Garfield replied that in that case the

ment to be read. This was another blunder, for the democrats do not know whether it is not of such a nature that they could and would accept it without hesitation. The managers handled the House as though they were straid of their opponents. Their purpose was simply and brutally to rush their resolution through under the previous quesexamine or discuss it, and in this they were defeated in a manner which made them ridiculous. It should be remembered that the resolution, which its author thus tried to force through the House, has been drawn up by half a dozen men in secret, has never been submitted to a caucus of the democrats, has not even been shown to any democrat of acknowledged prominence to either House, the Speaker excepted, and is based on evidence the most vital parts of which there is reason to believe is not actually in the hands of the promotors of the inquiry, though they are promised Thus not more than a dozen democrats, none of rank in the House, have undertaken to lead their party and the House bindfold into an enterprise which, in the opinion of the able men of their party, sught to be undertaken only with the utmost caution and about which, assuredly, it would have been wise for them, in the light of to-day's blunders, to have called a caucus if it were only to count noses and plan their campaign beforehand.

BENEWAL OF THE STRUGGLE. The struggle will go on to-morrow, and the wiser Beads on the democratic side acknowledge this even-ing that they will have to allow Mr. Hale's amendment at least to be presented and read, even if they do not accept it. But if Haie has been shrewd enough demand for an impartial investigation, it will be an awkward and damaging for the democrats to reject as to accept it. In fact, Mr. Pot-ter and his friends have thrown away their opportunity. They see too late that the republicans ald not afford to oppose a fair inquiry upon grave sharges. Mr l'otter had only to confer privately and his resolution, look over their amendment and come into the House with both parties ready to agree, without debate, to the proposition thus framed. This shance Potter has flung away, for Hale says, this evening, that he will not now confer upon the matter, will not show his resolution to any one until he is allowed to read it in the House and will insist upon it and force the democrats to refuse fair play if they dare. The Potter resolution to-morrow on the motion for the previous question, and on that the republicans will demand to have Mr. Hale's amendment read and will flibuster until this is allowed. When it has been read to the House then they will probably make no objection if the democrats are stilly enough to vote it down. On the only test vote to-day, that on sustain ing the ruling of the Speaker in lavor of the resolu tion, two democrats, Milis, of Texas, and Buckner, of Missours, voted against the resolution, and three re-

CHARGE AGAINST SECRETARY SHERMAN. The socusation against Secretary Sherman, made or the resolution, rests on a letter he is said to have written to James Anderson, of Louisiana, Supervisor of Election in East Feliciana parish, promising Anserson, it is said, certain rewards if he would do certain things. Anderson is said to be in Philadelphia and to the letter be has were of great importance he would probably have been taken care of. It is known here that McLin, on whose testimony the resolution also relies, when the President refused to give him another

publicane, General Butler, Fort, of Illinois, and Mitchell, of Pennsylvania, voted for them.

piace after he was rejected as Judge in New Mexico, sent a threatening letter to the President, who there-upon ordered the deorkeepers no longer to admit him to the White House and refused, absolutely, to hear anything further from or about him.

COMPROMISING LETTERS.

It is asserted in the circles of the investigators to night that several letters from prominent republicans, clearly and deeply compromising them in election frauds in Louisiana, have failen into democratic hands, and that it was originally intended to produce these letters and make them a part the resolution, but other counsels prevailed, and the committee of inquiry. A prominent lawyer, who as been acting as adviser in the matter, asserts that there is evidence enough in hand to convict several very prominent republicans before a jury of knowledge of and participation in the frauds in Louisiana and Piorida.

The latest report from democratic sources is that the investigators will to-morrow permit Hale's amend-ment to be read and will then try to have it voted fown. They do not, however, feel entirely certain of number of democrats supported the Potter resolution to-day very reluctantly and only because of an indisposition to break the party vote. These are not to-night in a very good humor, for the proceedings of the day do not please them. They think a grave blunder has been made in making the Histr manifesto the pretext for the inquiry, and they point to the fact that Mr. Potter and other democratic speakers felt compelled to-day to discisim any intention to reopen the Presidential question as a proof of the unwisdom of quoting the "Blair resolution."

"A movement which has to begin with an explanation is undoubtedly a mistake," said one.
it is understood this evening that Mr. Potter was

only called into the councils of the investigators this morning, and that he consented at their urgent request to introduce the resolution. He could not have ad time, therefore, to examine the documents on which the allegations are based.

WHAT MAY RESULT.

It is pretty safe to say that if the resolution of inquiry sets out as its object to reopen the Presidential question and attempts to begin an investigation on vague rumor and indefinite allegation of fraud, the dence clearly implicating prominent members of the administration, either here or abroad, in guilty knowlbring in a resolution of inquiry formally accusing bers of the House, in the form of an impeachment, then probably both parties would feel compelied to support the resolution. That the investi gutors have not so far proposed to do this seems to be "fishing commissee", to look for evidence in the hop of getting something.

take more interest in the investigation matter than

most of the democrats.

FROM OUR REGULAR CORRESPONDENT.

WASHINGTON, May 13, 1878.

DEMOCRATS CONCENTRATING THEIR FORCES. Speaker Randall having ruled that the resolution business until finally disposed of, the House adjourned hortly after four o'clock for the purpose of allowing the democrats to secure the attendance of every demthe names of the absences procured, and those who are absent from Washington were telegraphed, urging the importance of their immediate return. At ten o'clock to-night answers were received from eight nembers in different parts of the country that they had left for Washington or would leave by the next bers. There were present to-day 130 democrats, and five or six were in the city, but detained at their rooms on account of illness. With these and the members on the excursion party to Norfolk, which able to reach Washington before noon to-morrow, the on their own side and will not be at the mercy of the republicans, who to-day counted out the House by reusing to vote. Congressman Veeder, of New York, who is absent on leave, promptly telegraphed that he would be in Washington to-morrow morning. Simiar despatches were received from others absent on leave who are within tweive hours' ride from the

One of the items of testimony in the Louisiana case is a letter supposed and asserted to have been given East and West Feliciana parishes. The lame portion of the story about this letter is that it promised both protection and reward to these men and that it was held in the custody of Webber has been destroyed and that a copy is not even in Anderson's possession. Webber, it will be re-membered, was killed in West Feliciana and Anderson is now in Philadelphia. It is stated that the letter was given as a guarantee of protection and future employment, for the reason Louisiana, and that they must be provided for. Anderson was offered several positions, among them the that it was not bign enough. He wanted to be naval officer at New Orleans. After this Secretary Sherman offered him, it is said, a clerkship, but that too was declined, and then Mr. Sherman thought his promise had been faithfully kept, and refused to hear further appeals. This is the story told here in re

THE PRESIDENTIAL QUESTION. MR. POTTER INTRODUCES A RESOLUTION IN THE

HOUSE TO INVESTIGATE THE ALLEGED FRAUDS IN PLORIDA AND LOUISIANA-LIVELY DEBATE ON THE QUESTION OF ADOPTION.

WASHINGTON, May 13, 1878.
Mr. POTTER, (dem.) of N. Y., rose and as a question of privilege presented the following presente and re-

of privilege presented the following pressible and resolution:—

Whereas the State of Maryland has by its Legislature formally declared that due effect was not given to the electoral vote cast by that State on the 6to day of December, 1876, by reason of fraudulent returns in the electoral votes from the States of Florida and Louisinar; and whereas an affidavit by Samuel B. McLin, chairman of the Board of State Canvassers of the State of Florida for the election held in that State in November, 1876, for electors of President and Vice President, has been made public, alleging faise and fraudulent returns for votes for such election in that State, whereby the choice of the people of that State was sanuiled and reversed, and that the action of the Board of State Canvassers in making such recurs was unalled and reversed, and that the action of the Board of State Canvassers in making such recurs was influenced by the conduct and promises of the Hon. Edward F. Noyes, Low Minister to the government of France; and, whoreas it is alleged that a conspiracy existed in the State of Louissara, whereby the republician vote in all the presents of West Feliciana at the general election in November, 1876, was purposely withine d from the poils to afford a protext for the exclusion by the Returning Board of that State of the vote cast in those precincts of the privation of President, and that James E. Anderson, the supervisor of registration of President and Vice President, and that James E. Anderson, the supervisor of registration in the parish of West Feliciana, in that State, in turtherance of that conspiracy, falsely protested that the election in such precincts had not been introduced and precincts; and by means thereof and of other false and fraudulent action by the said Returning Board thereupon laisely and fraudulent; excluded the vote of the sand precincts; and by means thereof and of other false and fraudulent action by the said Returning Board the concerned was induced and encouraged by the assurances of the Hon. John

with like full authority of said committee in every particular, and with power to sit in Florida and Louisana, which sub-committees shall be committees of this House, and the chairman thereof shall be authorized to administer outles; that the said committee and sub-committees may employ stenographers and be attended each by a deputy sergeant-atarms, and may sit during the sessions of this House and during the vacation, and that said committee proceed in this inquiry and have leave to report at any time.

PIRST POINT OF ORDER. CONGER, (rep.) of Mich., raised the question that they did not present a question of privilege; and he also made the further point that the powers proposed in the resolution could not be given by a mere majority

vote, but would require a suspension of the rules.

Mr. Pottes, of New York, said one would suppos that if there was any subject which should be en-titled to preference in this House in respect to the order of the business it was a subject brought to its notice by the memorial of a sovereign State touching the official conduct of high officers of the govern

notice by the memorial of a sovereign State touching the official conduct of high officers of the government and relating to a fraud alleged to have occurred, changing the result of the election of the highest officers of this government.

Mr. Comera—Hast the memorial of the State of Maryland been committed to the gentleman from New York, so that he has any possession of it on which to offer such a resolution?

Mr. Porram—I am sow speaking only of the question of order. Later on, if I have an opportunity to any anything, I shall be able to make answer to the inquiry which the gentleman from Michigan has just put to ma. Now, as to the question of order, it seems to me that to state this case is to argue it. If, for reasons that appear on the lace of this resolution, this inquiry is not privileged, then nothing can by its nature be privileged. If the House of Representatives ought to give preference to the consideration of any subject a subject of the magnitude of this one to which the resolution relates ought certainly to have such preference.

Mr. Hale, (rep.) of Me., argued from the rules and Manual that the resolution did not present a question of privilege. If the resolution proposed or was intended to subvert the accepted result in the Presidential election then there might be some claim that it did present a question of privilege, but as a mere expression of epinien it did not present any such question.

Mr. Garrield, (rep.) of Ohio, also argued against the resolution being a privileged one. He said the gentleman from New York bases his claim that it is a privileged question on the fact that the memorial which it resides is a memorial from a sovereign State and is therefore entitled to a very high place in the consideration of this House. I think that the gentleman from New York was unfortunate in planting his case on that idea. The States of this Union are represented by individual members, who are sent here to speak and to vote for their States, and in no other way whatsoever can a State of this Union be

The Sprakes—Would the gontleman from Ohio deny to a State the right of petition as given in the constitution?

Mr. Garrieth, of Ohio—A State has, of course, the right of petition.

The Sprakes—A memorial is a petition, and is provided for in the constitution, wherein it is stated that Congress shall make no laws abringing the right of the people to petition of the government for a redress of grevances.

MR. Garrieth—The Speaker's reference to the right of the people to petition of the government for a redress of grevances.

MR. Garrieth—The Speaker's reference to the right of petition. But the right of action here on this floor is quite a different thing, and the question of right of petition. But the right of action which somebody can demand of the House. This is a question of whether it rises to the dignity of a privileged question depends upon the right of action which somebody can demand of the House. This is a question of privilege without doubt, provided the mover of it alleges that he purposes to foliow it up as a matter of impresement. If he says that this is a proceeding intended to pave the way to an imprechment, then doubtless it may be a question of privilege. It he says it is a proposition by the House to raise and determine the question of title of the present Chief Magistrate to the office which he holds, then I answer that that question has been determined by the joint voice of the two houses of Congress, and that it is beyond the reach of this House. It, again, the object of the resolution is merely to organize a committee for campaign purposes, to make campaign interature for the autumn, then the exigencies of a political party have neveryour risen to the dignity of questions of privilege. Furthermore, there is in this resolution (and I reserve that point of order until this one shall be settled), a proposition that the committee shall have the right to still in the recess. Nother of these two propositions can be adopted by a majority vote, and I thereupon reserve that point of order until ins

Whatever power the constitution vested in either house of Congress on such a subject had been exercised by the Forty-lourth Congress, and there remained not a shadow of a right on the part of this Congress to exercise such a power. The only power which this House had over the President was the power to impeach him for some crime and misdemeaner which he himself had committed, but not for frauds which others had committed in bringing him into the Presidency. If this House had power to investigate the question as to how Mr. Hayes outsined the Presidency, it also had the right to investigate the means by which James K. Polk had obtained the Presidency in his time, and it might had go back to the days of George Washington and bring the faces of his slection before the people. He bring the facts of his election before the people. If repeated that any attempt on the part of this House to investigate and undo what had been done by Con-gress in declaring who was President was nothing snort of userpation. (Applicase on the republicase side.)

to investigate and undo what had been done by Congress in declaring when was President was nothing short of userpation. (Applicae on the republican side.)

REMARKS OF S. S. COX.

Mr. Cox, (dem.) of N. Y., read as extract from the decision of the Electoral Commission in the Fiorida case and charged Mr. Garlieid—core of the commissioners—with having either s convenient conscience or a convenient logic. It seemed to him (Mr. Cox) that whatever steps might be taken to reach that great transaction, the gentleman from Ohio held that they were outside of the record—diamde. So far as the question of privilege was concerned, this was a question of privilege was concerned, this was a question of privilege was concerned, the was a question of privilege was concerned, the resolution to the highest privilege.

Mr. Porter replied to the arguments on the point of order, and on the Secretary of the Treasury and a foreign Minister, and on that point alone it was a question of the highest privilege.

Mr. Potter replied to the arguments on the point of order. The privilege asked for, he said, was only the privilege of having now considered the resolution was entitled areas from the fact that it had been set in motion, first, by the public formal action of a sovereign State, and second, from the nature of the subject matter to which it referred. Gentlemen on the other side had been quick to declare that if he fir. Potter) would say that the purpose of the resolution was in impeach and unseat the President of the United States they would admit that it was in order. That he declined to doctare. If that construction given to the rule by the gentleman from Maine (Mr. Haio) was light—that the limitation of privilege in reference to election of President is an inquiry in reference to his election before he is seated or with a view to unseating him, that was a construction which would forever prohibit the House from inquiring into frauds that has been successful, and if the House from the own in the history of this country, and an examin

guage is used:—

That full effect has not been given to the electoral vote cast be the State of Maryland on the 6th day of November, 1876, by reason of frauanient returns made from other States and allowed to be counted provisionally by the Electoral Commission and subject to judicial revision.

Sastes and allowed to be counted provisionally by the Electeral Commission and subject to Judicial revision.

It further alleges that the returns from Louisiana and Florion which were cast for the present occupant of the Presidential chair were fraudulent and void. Here is the appeal of a Stale of this Union to the federal legislative power for the correction of a high grievance said to have been committed in the States of Florida and Louisiana against the rights of the States of Florida and Louisiana, produced a different result in the election of a Fresident and Vice President from that actually decreed by the people themselves at the polis. Whether those questions can be sustained by proof it is not for the Chair to consider; it is enough for the Chair to Know that they come from a power which, within the limits, is recognized as sovereign by the constitution, and that the issue involved runs to the wellare of the people of all the States. Nor is it within the range of propriety for the Chair to express an opinion as to how lar such an investigation should go in order to reach the lacts, nor what limits should be set upon it. A higher privilege than the one involved and troadly and directly presented, as to the rightful occupancy of the chief executive chair

of the government, and as to the connection of high government officials with the frauds alleged, the Chair in the stands to conceive. The Chair finds enumerated among the questions of privilege, set down in the manual, the following:—"Election of the President." The Chair, therefore, rules that the preamble and resolution embrace questions of privilege of the highest character, and the Chair recognizes the same. (Appliance on the democratic side of the chamber.) The other points are, of course, held in reserve.

Mr. Concer, of Monigae, appealed from the decision of the Chair, and Mr. Potters, of New York, moved to lay the appeal on the table.

Mr. Potter's motion was agreed to—yeas 128, nays 108—a party vote, with the exception of Mr. Fort, of lithois; Mr. Mitchell, of Pennsylvania, and Mr. Butler, of Massachusetts, who voted with the democrata, and Mr. Buckner, of Missouri, and Mr. Mills, of Texas, who voted with the republicans.

Mr. Racan, (dem.) of Texas, desiring to justify his vote in support of the resolution, stated that while he agreed with his colleague (Mr. Mills) that the retrial of the Presidential question could not be had by the House, the resolution, in alleging that great irraud had been perpetrated, raised a question of the highest privilege.

had been perpetrated, raised a question of the highest privilege.

Mr. Conger, of Michigan, raised the point of order that as the resolution gave the committee unusual powers to sit during recess, to report at any time and for the chairmen of the sub-committees to administer caths, it could not be adopted by a mere majority vote; also that as the resolution provided for an expenditure of money it must first be considered in Committee of the Whole.

Mr. SATLER, (dem.) of Ohio, argued that the committees could, by a simple majority vote, be authorized to sit during recess, and he quoted in support of that view a precedent in the case of the lamous Gardner investigatios. He admitted, however, that in that case the question had not been raised.

Mr. GARPIELD, of Ohio, claimed that his colleague had shown so precedent that had any force. He had never heard it claimed that a proposition to sit during recess could be adopted by a mere majority vote.

The Sprakers ruled that as to the right of chairmen of sub-committees to administer oaths that was a matter to be decided by the committee itself; if it was contrary to law then it did not matter whether the power was given by a two-thirds vote or by a majority vote.

Mr. Butler, (rep.) of Mass., cited the case of a sub-

power was given by a two-thirds vote or by a majority vote.

Mr. Butlen, (rep.) of Mass., cited the case of a subcommittee of the Judiciary Committee in the proceedings for the impeasablent of President Johnson, where a recusant witness relused to answor under oath and where the flouse ruled that he was bound to answer.

Mr. Thomrson, (rep.) of Pa., argued that inasmuch as, under the rules, a committee could not sit during the recess, it must require a suspension of the rules to give that authority.

Mr. Nathen, of Ohio, challenged him to indicate the rule that prohibited a committee from sitting during the recess.

Mr. inomrson quoted the seventy-second rule.

rule that prohibited a committee from sitting during the recess.

Mr. INOMPROE quoted the seventy-second rule, which provides that no committee shall sit during the session of the House without special leave.

Mr. CARWELL, (rep.) of Wis., stated that that rule had nothing whatever to do with the question (in which statement the Speaker coincided), but that the rule which applied was the parliamentary rule that neither House could continue any portion of itself in existence beyond the end of the session without the consent of the other House.

Mr. SAYLER, of Onio, said that that rule applied to the adjournment of Congress; not a recess between one session and another.

The SPRAKER everruled the point of order as to the power of the committee to sit during the recess.

power of the committee to sit during the recess.

THE ADMINISTREMS OF CATUS.

The next point discussed and decided was on the right of chairmen of sub-committees to administer right of chairmen of sub-committees to administer caths.

Mr. Conors said that the statute prescribed who might administer caths, including the chairman of a committee; and that the rules declared who should be the chairman of a committee—the first named member of a committee, and in his absence the next in order, and so on. The House could not by a simple resolution say (differently irom the rules) that the chairman of a sub-committee was the chairman of a

committee.

The SPRAKER overrule; the point of order on the ground that if the House should authorize the spinin-ment of a sub-committee in the manner provided the charman of such sub-committee would have powers under the very words of the statute to administer

oaths.

He also overruled the point as to the expenditure of Mr. Garrinto, of Ohio, then made the point of order that it required a two-thirds vote to give the committee the power to report at any time.

The Sprange sustained that point of order.

Thereupon, Mr. Potter struck out that part of the resolution.

Mr Halk, of Maine, asked Mr. Potter to yield to

him to offer an amendment.

OBJECT OF THE RESOLUTION.

Mr. POTTER said the gentleman from Michigan (Mr. Conger) intimated that it was an impertmence on my part to introduce this resolution. Very low gentlemen in the House, I think, would take the responsibility of introducery a resolution of this convector and part to introduce this resolution. Very low gentionen in the House, I think, would take the responsibility of introducing a resolution of this character and of this magnitude without being requested to do so. I introduced it at the request of my political associates, made to me this morning—gentlemen whose wish I did not teel myself at livery to refuse to. Few gentlemen asked by such associates would have left themselves at liberry to refuse to introduce the resolution in question. I want to add further, in view of something that was said by the gentleman from loxastic file. I want to add further, in view of something that was said by the gentleman from loxastic file. I want to add further, in view of something that was said by the gentleman from loxastic file. I want to add further, in view of something but an inquiry into the lacts of the electoral votes in the States of Florids and Louisiana and into the participation of officers of the government in connection with the alleged frauds there. What can be done after the inquiry is completed? What ought to be done about be determined, I am free to law, only after the inquiry has been had. For myself I have no purpose in that respect, and I know of none on the part of my political associates. I desire to add for myself that I have no wish to disturb the peace and quiet and prosperity of the country, which I hope is now beginning to revive, and that I have no four that this investigation can result in disturbing it. The government of this country was made by the people, and they are competent to preserve it without violence and to right peaceably the wrong that should be righted; or, if need be, to submit for a season to wrong if the public inference own and that it should be submitted to; but I repeat what I said before, that to refuse to inquire into successiul frauds is to invite their continuance, and in the end to jooparcize, and not to secure, the public inference.

ther debated.

MR. HALE'S AMENDMENT.

Mr. HALE, of Maine, said he had an amendment to offer, which was clearly germane to the resolution, and be submitted that in all fairness he should be permitted to offer it. He hoped that considering the magnitude of the subject (which had been well referred to and acknowledged by the gontleman from New York), that gentleman would not seek here and new to stifle further debate or to prevent the republican side of the House from offering amendments that would make the investigation more exhaustive and searching. He, therefore, asked the gentleman from New York to yield to him to effor his amendment.

Mr. POTTEE—I will yield to the gentleman to state the nature of his amendment. It may be that in a

Mr. Potter—I will yield to the gentleman to state the nature of his amendment. It may be that in a form of an amendment he wants to get in a speech.

Mr. Halk—The better way is for the gentleman to allow the amendment to be read.

Mr. Potter—The gentleman from Maine is exceedingly familiar with parliamentary law and is able to state the nature of his amenament; and when he states it then I will answer whether I will allow it to be offered.

to state the nature of his amenament; and when he states it then I will answer whether I will allow it to be offered.

Mr. Halk—Then I will resd the amendment.

Mr. Pottran—I did not ask the gentieman to do that I asked him to state what the nature of his amendment was.

Mr. Halk—I think I may be allowed to say that this matter has not come up studenty. It was considered a long time by the gentieman and his associates, but it was never known when it would be sprung upon the House. Feeling that it was becoming, of course, a party matter, I consulted with the Speaker and received from him the assurance—and I am glad to say that in these matters the Speaker is siways ready to give the minority a chance to be heard—that this side of the House should be represented in this matter and should have the opportunity to you upon it. He and his associates may vote it down if they will and we will time vote upon it. He and his associates may vote it down if they will and we will time vote upon the resolution. He will see, however, that my amendment germane to the resolution is in the direction of investigation, and that so far from barrowing the investigation or stifling it in the least degree it sends to this select committee, appointed for a purpose, subject matters only connected with the subject matter of the original resolution, and that it departs not one tota from the great subject matter of the investigation—the alleged frauds attendant upon the Presidential election of 1876. I ask now, as he seeks full investigation, that he does not here, by the power which he has of nanaging this resolution for problem.

the right of this side of the House to ofer an amendment.

The SPEAREE.—The Chair desires to say in corroboration of the sentleman from Maine (Mr. Haie) that the Chair did state this, that it the gentleman from Maine seated to subunit an amendment he would be recognized by the Chair for that purpose, provided the gentleman who was in charge of the proposed resolution gave him the opportunity to offer it. Fine the gentleman from Maine asked whether the amendment being germane to the subject matter was not as much a question of privilege as the original resolution itself, and the Chair told him that if the amendment was competent as a question of privilege the Chair would give nim the privilege of edering the proposition in lis own right.

competent as a question of privilege the Chair would give him the privilege of offering the proposition in his own right.

Mr. Halk—I admit clearly that the responsibility is not with the Chair but with the gentieman (Mr. Potteri representing the majority on the other side. My amenament is here (holding it in his hand), and I desire to offer it.

Mr. Pottra—I accept all the responsibility that belongs to me. As to the question of determining whether the amenament shall come in, I do not yield to allow the amenament to be offered. The final responsibility, however, does not rest upon me but upon the liouse of Representatives, which may refuse to second the previous question. But the gentleman has made no answer to my request to state what his amenament relates to any more than that he says it relates to the general subject of the Presidential frauds.

Mr. Halk—Will the gentleman show the amenament to be read? And then he will hadderstand what it is, I will send it to the Clerk's desk. (Shouts of "No! no!" from the democratic side.)

Mr. Potter—the gentleman from Maine can answer il he chooses; and if he refuses to answer and leasts on giving me an answer in a quire of loolsesp, then I say that it is not such an appeal to my courtesy as lought to yield to. For aught I know it may refer to other States than the States of Fiorida and Louisiana.

Mr. Halk—Then the gentleman seems to limit his

investigation to selected States and will not allow it to go outside. Is that the reason why he will not admit any amendment? I tell gentlemen plainly that my amendment is not confined to the States of Florida and Louisiana.

Mr. POTTRE—Now I have got at last an answer to my inquiry and I decline to yield for the amendment. It frauds were attempted in Florida and Louisiana they were carried out successfully and became operative. I' the object of the amendment of the gentleman from Maine is to show that there were frauds in South Carolina, by which the electoral vote of that State was counted for Hayes, when it ought to have been counted for Hayes, when it ought to have been counted for Hayes, when it ought to have been counted for Hayes, when it ought to have been counted for Hayes, when it ought to have been counted to Triden, then I shall be prepared to answer as to amendment of that sort; out the gentleman from Maine will not venture to declare anything of that kind.

Mr. Halk—In other words you mean to say that any frauds that apply on the one side are to be looked into here, and that any frauds committed by the gentleman's own party are to be excluded. Is that it? (Applause on the republican side.)

Mr. POTTRE—On, no. The world of wrong is very wide. If the gentleman wanes to inquire into matters of moral delinquency outside of the two States of Florida and Louisiana I do not object. Lot him introduce his resolution for that purpose and have himself put at the head of a committee and go into that investigation.

Sintes of Florida and Louisiana I do not object.
Let him introduce his resolution for that
purpose and have himself put at the
head of a committee and go into that investigation.
(Applause on the democratic side.) I seek nothing of
the kind. I am not siming at persons, I desire to
ascertain it fraud in the electoral vote of these States
was really perpetrated, and, it so, how it was perpetrated, in order that such irsude may be prevented
hereafter.

Mr. Hatter that

petrated, in order that such irsude may be prevented bereafter.

Mr. HALE—And the gentleman denies any attempt at investigation where there are clearly snown fraude—the boidest in American his ory—perpetrated by his own party in half a dozen other States, he refuses to let that investigation go to his com-

mittee.
Mr. Porran—I will vote for any kind of an investi

Mr. POTTRE—I will vote for any kind of an investigation that you seek, but the amendment you propose is not cermain to this resolution and intended to prevent effectual investigation.

Mr. Hake—But the gentleman will not let it go to the committee of which he is the head. I do not ask for the appointment of a committee with a majority from this side of the Hodse; but I sak that the inquiry which the gentleman's resolution proposes be as sweeping as the country desires it to be.

Mr. POTTRE—Well, let the gentleman from Maine sweep the dirt for himself. (Laughter on the democratic side).

Mr. Halk.—The gentloman from New York evidently does not mean to sweep. (Laughter on the republican side).

Mr. Fotter.—No; not with the insufficient broom that you would like used.

Mr. Garrisl., of Onlo, took the floor, but was met with calls to order on the democratic side.

Mr. Garrisl.D—I understood the gentleman from New York to say, whou he was first up, that he was not seeking to investigate the Presidential title, but to investigate the question of fraud to the Presidential election. Now it that be so I can only say that if the gentleman's last position—that he will not investigate any alleged fraud in any State unless the vote of that State was necessary to put the President in the Presidential charr—is in conflict with that idea. It seems to me my friend utterly changes his position now to one of seeking to got at the Presidential title. If he is seeking to get at the question of fraud in the Presidential charr—is in conflict with that idea. It seems to me my friend utterly changes his position now to one of seeking to got at the Dresidential title. If he is seeking to get at the question of fraud in the Presidential election then he will get, I believe, the unanimous vote of this side of the House to pass his resolution, provided he will onlarge it to take in all other cases where there is real bond fade allegation and beine by a large body of the people of fraud, fully as great as anything that he believes to have existed in Fioridand Louisana. If he will enlarge his resolution in that way, it will have my vote and the vote of everyman on this side of the House—(several republicans—"Every man")—but if he elects a certain nurrow himt of alleged fraud, which, in case it is true, can only revert to the political advantage of one political party, and not to the general advantage of truth in the Republic, he will occupy the position which all honorable men give to a nurrow, partisan, partial and unjust investigation—(appliance on the republican side)—and, therefore, I ask him to let the amendment be off

noterable men give to a narrow, partisan, partial and unjust investigation—(applause) on the republican side)—and, therefore, I ask him to let the amendment be offered.

Mr. Potter—The gentleman from Ohio says that I have changed my ground and that I want to attack the Presidential side. Not at all; whatever may happen as to the Presidential title as a result of this inquiry does not concern me. Now, I have said, and I repeat, that I have no purpose of disturbing it. He says that if I only want to investigate election frauds, the other side of the House would be gind to go into a general and aweeping investigation; that is, one so general that it would never eventuate in any examination at all; but there is between those two extremes a very obvious distinction. I seek to investigate, not with a view to disturbing the President, or with any other view to the disturbing of election for which any other view to the disturbing of election operative, which were successfully carried out, which were effective and which were brought to our notice by the memorial of a sovereign State of the Union. These are just exactly in two states, and no more. Therefore an investigation looking ceyond those two States would not be german to the resolution and would be of no practical effect.

Mr. Congua, of Michigan, took the floor, but was met with loud shouts of "Order!" "Order!" from the democratic side. He, however, succeeded in saying that if the other side of the House would not permit his side of the House to take any part in framing the resolution of inquiry the democratic side might go through and pass its resolution if it could. (Appiause on the republican side.)

Mr. Potters—File goaleman from Michigan is kind. We can do that without his permission, but if he will offer a resolution to investigate any irauds that he may allege we will be more liberal than he proposes, and it will receive the votes of this side of the House, also,

and it will receive the votes of this side of the House, also.

Mr. Halk—I make my proposition in good faith. The gentlemen on the other side have declined it; now let the mg on by themselves.

Mr. Butler, of Massachusetts—Will the gentleman from New York (Mr. Potter) allow me to add to his resolution the words "South Carolina?"

Mr. Garrield—Mississippi, also.

Mr. Potted—Mississippi, also.

Mr. Potted—Mississippi, also.

Mr. Potted—Mississippi, also.

Mr. Potted—Mississippi octome operative. The distinction is obvious. I must now insist on the previous question.

The republican side of the House hereupon resorted to the partiamentary expedient of withholding their votes, so that when the question came to be tested by the tellers there were only 116 years to 1 may; no

The republican side of the House hereupon resorted to the pariamentary expedient of withholding their votes, so that when the question came to be tested by the teliers there were only 116 yeas to 1 nay; no quoram voting.

Mr. Potter thereupon moved a call of the House, and in the call of the House all the republican members answered to their names, so that no further proceedings under the call could be taken.

Mr. Potter then asked the Speaker whether if the House adjourned now the question would come up as unfinished business.

The speaker informed him that it would remain before the flouse until disposed of.

Mr. Congre and other republicans called upon the democratic side of the House not to show signs of weakness so carly. The taunt was answered just as definantly on the democratic side, and it was intimated that the question would remain before the House until there were enough democrats present to constitute a quoram without the aid of a republicany vote. This will require the presence of at least twenty more democrats than were in the House to-day.

Mr. Potter made the motion to adjourn, and the House proceeded to vote upon it by yeas and nays. Pending the announcement of the vote Mr. Hewitt, of New York, from the Committee on Appropriations, reported the Army Appropriation bill. Referred to the Committee of the Whole.

Mr. Stremess, (dem.) of Ga., Chairman of the Committee on Comage, Weights and Measures, reported the bill pronibining the further coinage of the three and five cout sliver pieces, and declaring the subsidiary silver coin a legal tender in amounts not exceeding \$20. Passed.

DEATH OF PROFESSOR HENRY.

The Speaken—Prior to announcing the result of the vote the Chair announces, with great sorrow, the death of Joseph Henry, an American, whose scientification ments are worldwide, and who has devoted a nictime to the interests of science, regardless of personal comfort or emolument.

The vote was then announced to be—yeas 118, nays 110, and the House accordingly, at a quarter after four P. M.,

# PROTECTION OF GAME.

The monthly meeting of the New York Association for the Protection of Game was held last evening at the residence of Mr. Clinton Gilbert, No. 20 West Tenth street. The minutes of the last meeting having been read and approved Coun-sellor Whitehead stated that he had received a communication from Mr. Charles A. Haswell, a member of the society, dated on board the steamer St. Joun, en route for Al-A. Haswoll, a member of the society, dated on board the steamer St. John, en rouse for Albany, setting forth that gentleman's horror at finding woodcock, at \$1 each, on the bill of fare, and suggesting that the association send a representative to investigate the matter, to the end that the owners of the steamer might be proceeded against if it was found that the law had been violated. On motion the secretary was requested to communicate with the proprietors of the St. John, calling their attention to the matter complained of.

A communication was also read from Senator Wagstaff, stating that pound nets and stakes had been set out at Great south Bay, i.e. i., and asking the assistance of the association in chorcing the game law at that place. Also one from Mr. Charles Banks, calling attention to the existence of pound nets at Baylon, i.e. i., in violation of the law. On motion the counsel of the association was instructed to take immediate action in the premises.

Connselior Whitehead moved that the president be requested to write a letter to Governor Kooinson, asking him not to affix his signature to any tills touching the Game laws until the Committee on Game Laws of the association shall have had an opportunity of acrutinizing them. The motion was adopted.

The president called attention to a programme of the Convention of the New York State Association for the Protection of Fish and Game, to be held at Buffalo on the 20th inst., and suggested that a committee be appointed to attend.

on the 20th libra, and appointed to attend.
On motion of Mr. Gilbert the president was requested to appoint a committee of five to represent the society at the above mentioned convention. Counsellor Whitehead reported several cases in which parties had been prosecuted for violations of the Game law, and in which judgments had been granted in favor of the association.

# STREET ENCUMBRANCES.

Mr. Allan Campbell, Commissioner of Public Works, and Mr. John Blumenthal, Superintendent of Encum brances, appeared before the Grand Jury yesterday in obedience to subsenss. The Grand Jury, however, did not, se was expected, proceed with an investigation into the question of encumbrances, but intumated that they would send for Mr. Campuell and Mr. Biumestial when necessary.

### A STRANGE CASE.

DISCOVERY OF NEW PROOF TENDING TO SHOW THE INNOCENCE OF THREE MEN DOOMED TO DEATH ON CIRCUMSTANTIAL EVIDENCE

ATLANTA, Ga., May 12, 1878 Some months ago the HERALD contained a semarks. ble story of the conviction of two men for murder upon circumstantial evidence and the subsequent disthe first conviction. An important discovery just made revives this story and shows how unreliable the strongest of circumstantial evidence may be.
About one year ago Mr. Rozier, a well to-de

chant of Sparts, Ga., was murdered while walking from his store to his house. His body was discovered by the Town Marshal, Griggs, and two men named Lovett and Barnes, who reported it to the family of the deceased. The murdered man had been struck with some heavy blunt fustrument that forced his skull is without breaking it. Suspicion fell upon the Marshaj and his colleagues, and a detective was sent tor to work the case up.

A STRONG ARRAY OF PROOF.

The circumstautial evidence against them was very strong. Their stories did not fit each other, and were proved by the facts to have been talse in some partieulars. For instance, they claimed that they were in a saloon when the door was pushed open and Mr. said that he had been murdered; that he then stag-gered back to the place where he was first attacked and

The detective then showed that it would have been

mpossible for the wounded man to have walked this distance without staining the ground and the door with the blood which was then pouring from him. The friends of the accused then showed two spots of blood on the edge of the saloon, but the detective cut his foot with a piece of plass. In recounting the terrupted by Griggs, who said, "He also had some tobacco there." The boy denied that his father carried tobacco. Griggs, who had not seen the pockets mptied, incautiously insisted that he did have to bacco. Upon investigation it was found that, contrary to usual custom, the deceased had started home with a piece of tobacco in his pocket. The question then arose as to how Griggs knew that Rozier had tobacco in his pocket. With a hundred such slight links as this was the chain of circumstantial evidence forged, and the unfortunate men were the house opposite which Rozier was murdered; that be heard the scuffling, the heavy blows and the fall of the body. He then heard a sound as of dragging it away, accompanied by groans, and was about to get up and go out, when he plainly recog-nized Griggs' voice, and knowing that he was the Marshal supposed he was simply dragging some drunken fellow to the lockup, and he went back to bed. He was subsequently awakened by the return of the scufflers, the repotition of groads and cursed and the general alarm. He was an intelligent without and was certain that he had recognized Griggs' voice. The case was very skiltully worked up by Mr. Mon aghan (detective) and it seemed that there was no possi ble escape for the doomed men. The case was carried to the Supreme Court and the judgment of the Court below was affirmed. ANOTHER THEORY OF THE CASE.

Just here some startling developments were made Detective Murphy received a letter from the wife on Griggs, the condemned man, who protested in the most pitiable terms against the conviction of her husband, declaring that she know him to be innocent Touched by her letter Mr. Murphy determined to look into the case, and went down to Sparts for that pur-pose. He was speedily satisfied that a good case had not been made out against Griggs and his fellows, and he went to work on another tack. He discovered that on the day of the murder a number of roughs then belonging to Howes' London Circus, which summering at Augusta, Ga., had been in Sparta and had disappeared during the night. He became men were connected in some way with Rozier's muroeen inexplicable-viz, the nature of the wound by which Rozier's head had been crushed in without the skin being broken. A sandbag used about a circust tent was about the only weapon that would do such work as this, and this ugly weapon is frequently used by circus fakirs, whose object is usually to simply stun a man, that they may rob him and get away. blow delivered too heavily would crush the skull in. Murphy at once went to work on the circus, which was then travelling through Canada. He soon made out a case against two employes of the circus, through the story of a tent pitcher named Enright. This man said that his two pals had gone up the road on the day of the murder and had returned the next day los Enright, which he described so that they tallied exactly with the articles taken from Regier's body when b was killed. At Cleveland, Ohio, Murphy arrested Enright and took him back to Georgis, where he made his statement in a clear and convincing manner. His evidence was not sufficient, however, to clear the condemned men, although effected a stay in the proceedings. Through the publication of Enright's confession the two elects men, then near Washington, escaped arrest. The two detectives, Monaghan and Murphy, have since been engaged with the case, Monaghau insisting that Griggs and his comrades were the guilty men, and Murphy insisting that the circus lakers had done the question and the problem was unsolved, and aparantly unsolvable, when suddenly new developments

Neither detective had been able to get sight of the pistol and watch stolen from Mr. Rozter's body after the murder. Of course the discovery of either of these articles, if they could be traced back, would settle the question of guilt Consequently descriptions of them have been frequently sent out and the most searching inquiry made for them. At last the watch turns up and in a way that certainly seems to be "settling." A negro named Alfred Cook, living in Albany, Ga., showed a watch to some one, who was astonished at his having such a fine one. Upon investigation it was proved that he had bought the watch couple of tramps who were going through the country toward Alabama. This purchase was made a lew sept to Sparts and identified as the watch that Roster had worn at the time of his murder. The description of the tramps who sold Gook the watch tailles with the description of the two circus men who were accused of the killing. Mr. Murphy asso proved that the last heard of the circus men after they left Augusta on their trip after the murder was that they had turned up in Mobile. They would have had to pass through Albany in making this trip. It is impossible to say what the effect of this new

and unexpected testimony will be, as it has not yet been generally made public. I send it to you in adoffect. A more remarkable case than this has been, and promises to be, never went to a jury.

# CARDINAL M'CLOSKEY'S RETURN.

Arrangements have been made by the Catholic olergy and laity to give Cardinal McCloskey a cordial Public services will be held at St. Patrick's Cathedral, when prayer for his sale return will be offered and the Te Deum sung. Bishop Lynch, of Charleston, S. G., will deliver an address on behalf of the ciergy, and Charles O'Conor or John McKeon on the part of the laity. The Cardinal and a number of distinguished guests will be entertained at the Vicar General's residence siter the services at the Cathoria. Tugboats have been engaged by members of the Catholic Union and the Xavier Union and sodainty to go down the bay and excort the Cardinal up to the city. Bands of music will accompany the party and a pleasant time is anticipated. dral, when prayer for his sale return will be offered

# THE NOYES TRIAL

Mr. J. H. Steawell was again placed on the stand in the Noyes trial, at Newark, yesterday, and subjected to a severe cross-examination on the part of the de-fence. He testified that the reinsurance of the Mutual fence. He testified that the reinsurance of the Mutual in the National Company, wherein is charged mainly the conspiracy to defraud, was declared by such directors of the Mutual as General N. N. Haistead, H. H. Trainor and Henry W. Baidwin to be the most favorable movement that could be entered into. Witness also testified that he showed Noyes a copy of Secretary Keiney's certificate declaring the Mutual to be sound and healthy. To-day the true will be resemed.